

Form Exempt Under 44 U.S.C. 3512

<p style="text-align: center;">UNITED STATES OF AMERICA</p> <p style="text-align: center;">FEDERAL LABOR RELATIONS AUTHORITY</p> <p style="text-align: center;">CHARGE AGAINST AN AGENCY</p>	FOR FLRA USE ONLY
	<p>Date Filed:</p> <p>Case Number:</p>

Charged Activity or Agency**Name:** ENVIRONMENTAL PROTECTION AGENCY, Region 5**Address:** Chicago, IL**Phone No.:** (312) 886-8963 **Fax No.:****Charged Activity or Agency Contact Information****Email:** Marlinga.Richard@epa.gov**Name:** Mr. Richard Marlinga**Title:** Management Representative**Address:** 77 West Jackson, Chicago, IL 60690**Phone No.:** (312) 886-8963 **Fax No.:****Charging Party (Labor Organization or Individual)****Name:** AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO, Local 704**Address:** 77 W. Jackson Chicago IL 60690**Phone No.:** (312) 886-3575 **Fax No.:****Charging Party Contact Information****Email:** fusinski.keith@epa.gov**Name:** Dr. Keith A Fusinski**Title:** Vice President of the Professional Unit**Address:** 9311 Groh Rd, Grosse Ile, MI 48138**Phone No.:** (724) 692-7681 **Fax No.:** (734) 692-7677**5. Which subsection(s) of 5.U.S.C. 7116(a) do you believe have been violated?**

(a)(1), (a)(5)

6. Tell exactly WHAT the activity (or agency) did. Start with the DATE and LOCATION, state WHO was involved, including titles:

On June 22 2017, John Haugland, Facilities Manager, Employee Services Branch sent an email to Grosse Ile employees that the Large Lakes Research Station (LLRS) in Grosse Ile MI would close on December 31st, 2017 and office space was being created to move the remaining LLRS staff to the National Vehicle Emissions Laboratory in Ann Arbor, MI. A follow-up email to Keith Fusinski from Acting Assistant Regional Administrator, Amy Sanders indicated that transfer to Ann Arbor was still within the local commuting area.

It would appear that all decisions regarding the closure of the Grosse Ile facility is being decided by Agency management without union negotiation. If fact, even with the two emails listed above. The agency has continued to declare that they have not given the union official notice of the closure of the LLRS facility and relocation of LLRS staff even though decisions affecting staff are being made without staff/union input.

The Collective Bargaining Agreement Article 5 Section 3 states, "Bargaining unit employees have the right to participate, through the union, in the formulation and implementation of policies and practices affecting conditions of their employment." As EPA has made the decision to close the LLRS facility and build a new office in the Ann Arbor without notifying or bargaining with the union. Agency employees have not had the opportunity to participate in the formulation and implementation of this move.

Items potentially adversely affecting employment include, but are not limited to, 1) increase in commuting time to some employees to Ann Arbor. 2) extra commuting time to job sites. 3) Change in use of maxiflex or flexiplace. 4) Personal vehicle parking. 5) Indoor air quality of building an office inside the National Vehicle Emissions Laboratory. 6) Fire safety. 7) Drinking water sampling results. 8) Location and storage of personal protection equipment and monitoring equipment required to perform OSC duties. 9) Loss of access to natural sunlight 10) Loss of secure office space. 11) building compliance with ADA regulations. 12) Specifications of new office furniture. 13) Specifications of size, lighting, heating and cooling of the new prefabricated office space in the National Vehicle Emissions Laboratory.

Also, the Collective Bargaining Agreement Article 34 Section 1,F defines commuting area as "The geographic area that usually constitutes one area for employment purposes. It includes any population center (two or more neighboring ones) and the surrounding localities in which people like and can reasonably be expected to travel back and forth daily to their usual employment." Grosse Ile and Ann Arbor are not within the same commuting area. The two locations are in different counties. The travel distance between the two locations vary from 50 to 90 minutes. Many employees have purchase their

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homes close to Grosse Ile to be close to the office. This move will adversely impact a number of employees at the LLRS facility.

7. Have you or anyone else raised this matter in any other procedure?

No

If yes, where?

- 8. ☒ I DECLARE THAT I HAVE READ THIS CHARGE AND THAT THE STATEMENTS IN IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT MAKING WILLFULLY FALSE STATEMENTS CAN BE PUNISHED BY FINE AND IMPRISONMENT, 18 U.S.C. 1001. THIS CHARGE WAS SERVED ON ALL PERSONS IDENTIFIED IN BOX #3 BY:**

Email ☒

In Person ☐

Fax ☐

Comm.Delivery ☐

First Class Mail ☐

Certified Mail ☐

Dr. Keith A Fusinski

Signed: Dr. Keith A Fusinski

Type or Print your name

Your Signature

Date